



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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February 07, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

29 February 7, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

ADOPT, ADVERTISE, AND AWARD EATON WASH DAM AND RESERVOIR INLET/OUTLET WORKS REHABILITATION IN THE CITY OF PASADENA (SUPERVISORIAL DISTRICT 5) (3 VOTES)

SUBJECT

This action is to approve the project to rehabilitate, replace, and construct flood control facilities for Eaton Wash Dam and Reservoir – Inlet/Outlet Works Rehabilitation, in the City of Pasadena; find this project categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; call for bids; and authorize the Chief Engineer or her designee to award, execute, and implement a consultant services agreement for the preparation of a baseline construction schedule, a storm water pollution prevention plan, and environmental plans for a not-to-exceed fee of \$20,000, and a construction contract with the apparent responsible contractor with the lowest responsive bid.

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Eaton Wash Dam and Reservoir – Inlet/Outlet Works Rehabilitation, in the City of Pasadena, at an estimated cost between \$2,900,000 and \$4,000,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on March 13, 2012, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
4. Authorize the Chief Engineer or her designee to execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule, a storm water pollution prevention plan, and environmental plans for a not-to-exceed fee of \$20,000 funded by existing project funds.
5. Authorize the Chief Engineer or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval of the project from your Board, acting as the governing body of the Los Angeles County Flood Control District (LACFCD); adopt the plans and specifications; advertise for bids; authorize the Chief Engineer or her designee to award, execute, and implement a consultant services agreement to prepare a baseline construction schedule, a storm water pollution prevention plan, and environmental plans for a not-to-exceed fee of \$20,000 funded by existing project funds; and a construction contract with the apparent responsible contractor with the lowest responsive bid for the replacement of flow-control valves and control systems, removal of an existing gate tower and foot bridge, removal and construction of reinforced concrete flow-control and access structures, resurfacing of an access road, placement of stone slope facing, and the performance of other appurtenant work.

The proposed consultant services agreement to prepare a baseline construction schedule, a storm water pollution prevention plan, and environmental plans that conform to the County's specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the apparent lowest bidder fails to complete acceptable deliverables, the Department of Public Works (Public Works) may return to your Board to recommend that the bidder be determined nonresponsible and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables that conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1), Community and Municipal Services (Goal 3), and Public Safety (Goal 5). The recommended actions will help achieve these goals by providing a means to operate the dam more efficiently and effectively, which will facilitate flood control and water conservation services to communities downstream of the dam.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$3,000,000 to \$4,100,000. The total project cost is estimated to be \$5,500,000. In addition to the construction contract cost, the total project cost includes the costs of preparation of plans and specifications, consultant services, re-advertisement of this project, inspection, contract administration, change order contingency, and other County services.

Sufficient funds for this project are included in the Fiscal Year 2011-12 Flood Control District Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In 1997, Public Works contracted with Geomatrix Consultants, Incorporated, for the seismic analysis of the Eaton Wash Dam outlet tower and headworks. The results of this study indicated that the tower does not meet State Division of Safety of Dams (DSOD) seismic requirements and will experience damage when subjected to the maximum credible earthquake, which would likely render the outlet gates inoperable.

The dam outlet works rehabilitation portion of the project involves the removal of the existing outlet tower and gate house. Once these major components are removed, construction of a gate valve, debris racks, hydraulic power system with a shelter building, control systems, modification of the outlet works structure, and rehabilitation of the gate valves will commence. This project will provide necessary erosion protection measures and improve water quality during low-flow releases from the dam. Upon completion, the entire dam structure will meet the State DSOD seismic standards. An alteration application was filed and approved by the State DSOD.

This project, to contract for the replacement of flow-control valves and control systems, removal of an existing gate tower and foot bridge, removal and construction of reinforced concrete flow-control and access structures, and the performance of other appurtenant work, is part of Public Works' ongoing program for the rehabilitation, replacement, and construction of runoff regulation facilities. It will be advertised in accordance with Section 20991 of the State Public Contract Code.

This project is to be completed in 150 working days. Due to construction moratorium for work within the reservoir during the storm season, it is estimated the work will start in June 2012 and be completed in August 2013.

Delegating to the Chief Engineer or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for the rehabilitation of these flood control facilities.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to

Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the LACFCD to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the LACFCD to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the LACFCD, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Section 15301(d), 15301(m), and 15302(c) of the California Environmental Quality Act Guidelines; Class 1, Subsection (e); and Class 3, Subsection (q); of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These classes include the repair and minor alteration of an existing dam and appurtenant structures to meet current standards of public health and safety involving negligible or no expansion of use.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. The award by the Chief Engineer or her designee will be made after review of the bids meeting the criteria established by your Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing a means to operate the dam more efficiently and effectively, which will facilitate flood control and water conservation services to communities downstream of the dam.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:ss

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)